

AMENDED IN SENATE APRIL 13, 2005

SENATE BILL

No. 436

Introduced by Senator Migden

February 17, 2005

~~An act to amend Section 11403.4 of, and to add Section 11403.5 to,~~
An act to amend Section 10609.4 of the Welfare and Institutions Code,
relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

SB 436, as amended, Migden. Foster care: transitional housing.

Existing law provides that a person less than 21 years of age who has emancipated from a county that has elected to participate in a transitional housing placement program for youths between 18 and 21 years of age who meet certain conditions, shall also be eligible for a county transitional housing placement program that provides supervised housing services.

Existing law establishes the Transitional Housing for Foster Youth Fund, which is continuously appropriated for purposes of paying the state share of the cost relating to transitional housing services for eligible emancipated foster youth.

Existing law requires the department to develop statewide standards for the Independent Living Program for emancipated foster youth established pursuant to federal law. Under existing law, a county department of social services is required to prepare an annual Independent Living Program report on the county's implementation of the program.

This bill would require the ~~State Department of Social Services to issue an all-county directive that outlines the process by which a county may obtain access to moneys from the Transitional Housing for Foster Youth Fund. The bill would also require a county that~~

~~provides transitional housing placement services to eligible youth to set aside 5% of available units in the county for pregnant or parenting emancipated foster youth, or the percentage of units that reflects the demonstrated percentage of eligible pregnant or parenting emancipated foster youth, whichever is less~~ county department of social services in a county that provides transitional housing placement services to include in its annual Independent Living Program report a description of currently available transitional housing resources in relation to the number of emancipating pregnant or parenting foster youth in the county, and a plan for meeting any unmet transitional housing needs of the emancipating pregnant or parenting foster youth.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 11403.4 of the Welfare and Institutions~~
- 2 ~~Code is amended to read:~~
- 3 *SECTION 1. Section 10609.4 of the Welfare and Institutions*
- 4 *Code is amended to read:*
- 5 10609.4. (a) On or before July 1, 2000, the State Department
- 6 of Social Services, in consultation with county and state
- 7 representatives, foster youth, and advocates, shall do both of the
- 8 following:
- 9 (1) Develop statewide standards for the implementation and
- 10 administration of the Independent Living Program established
- 11 pursuant to the federal Consolidated Omnibus Budget
- 12 Reconciliation Act of 1985 (Public Law 99-272).
- 13 (2) Define the outcomes for the Independent Living Program
- 14 and the characteristics of foster youth enrolled in the program for
- 15 data collection purposes.
- 16 (b) Each county department of social services shall include in
- 17 its annual Independent Living Program report both of the
- 18 following:
- 19 (1) An accounting of federal and state funds allocated for
- 20 implementation of the program. Expenditures shall be related to
- 21 the specific purposes of the program. Program purposes may
- 22 include, but are not limited to, all of the following:

1 (A) Enabling participants to seek a high school diploma or its
2 equivalent or to take part in appropriate vocational training, and
3 providing job readiness training and placement services, or
4 building work experience and marketable skills, or both.

5 (B) Providing training in daily living skills, budgeting,
6 locating and maintaining housing, and career planning.

7 (C) Providing for individual and group counseling.

8 (D) Integrating and coordinating services otherwise available
9 to participants.

10 (E) Providing each participant with a written transitional
11 independent living plan that will be based on an assessment of
12 his or her needs, that includes information provided by persons
13 who have been identified by the participant as important to the
14 participant in cases in which the participant has been in
15 out-of-home placement in a group home for six months or longer
16 from the date the participant entered foster care, consistent with
17 the participant's best interests, and that will be incorporated into
18 his or her case plan.

19 (F) Providing participants with other services and assistance
20 designed to improve independent living.

21 (G) Convening persons who have been identified by the
22 participant as important to him or her for the purpose of
23 providing information to be included in his or her written
24 transitional independent living plan.

25 (2) A detail of the characteristics of foster youth enrolled in
26 their independent living programs and the outcomes achieved
27 based on the information developed by the department pursuant
28 to subdivision (a).

29 *(c) The county department of social services in a county that*
30 *provides transitional housing placement services pursuant to*
31 *paragraph (2) of subdivision (a) of Section 11403.2 shall include*
32 *in its annual Independent Living Program report a description of*
33 *currently available transitional housing resources in relation to*
34 *the number of emancipating pregnant or parenting foster youth*
35 *in the county, and a plan for meeting any unmet transitional*
36 *housing needs of the emancipating pregnant or parenting foster*
37 *youth.*

38 ~~(e)~~

39 *(d)* In consultation with the department, a county may use
40 different methods and strategies to achieve the standards and

1 outcomes of the Independent Living Program developed pursuant
2 to subdivision (a).

3 ~~(d)~~

4 (e) In consultation with the County Welfare Directors
5 Association, the California Youth Connection, and other
6 stakeholders, the department shall develop and adopt emergency
7 regulations in accordance with Section 11346.1 of the
8 Government Code that counties shall be required to meet when
9 administering the Independent Living Program and that are
10 achievable within existing program resources. The initial
11 adoption of emergency regulations and one readoption of the
12 initial regulations shall be deemed to be an emergency and
13 necessary for the immediate preservation of the public peace,
14 health and safety, or general welfare. Initial emergency
15 regulations and the first readoption of those regulations shall be
16 exempt from review by the Office of Administrative Law. The
17 initial emergency regulations and the first readoption of those
18 regulations authorized by this subdivision shall be submitted to
19 the Office of Administrative Law for filing with the Secretary of
20 State and each shall remain in effect for no more than 180 days.

21 ~~11403.4. (a) The Transitional Housing for Foster Youth Fund~~
22 ~~is hereby created in the State Treasury for the purposes specified~~
23 ~~in this section.~~

24 ~~(b) Except as otherwise limited by this section, the fund shall~~
25 ~~consist of all of the following:~~

26 ~~(1) All public moneys transferred into the fund.~~

27 ~~(2) Any interest that accrues on amounts in the fund.~~

28 ~~(c) All moneys in the fund shall be used for the purpose of~~
29 ~~costs incurred pursuant to paragraph (2) of subdivision (b) or~~
30 ~~subparagraph (B) of paragraph (1) of subdivision (c) of Section~~
31 ~~11403.3.~~

32 ~~(d) Notwithstanding Section 13340 of the Government Code,~~
33 ~~moneys in the fund are continuously appropriated, without regard~~
34 ~~to fiscal years, for the purposes specified in subdivision (c).~~

35 ~~(e) The department shall issue an all-county directive that~~
36 ~~clearly outlines the process by which a county may access~~
37 ~~moneys in the fund.~~

38 ~~SEC. 2. Section 11403.5 is added to the Welfare and~~
39 ~~Institutions Code, to read:~~

1 ~~11403.5. A county that provides transitional housing~~
2 ~~placement services to eligible youth pursuant to paragraph (2) of~~
3 ~~subdivision (a) of Section 11403.2 shall set aside 5 percent of~~
4 ~~available units in the county for pregnant or parenting~~
5 ~~emancipated foster youth, or the percentage of units that reflects~~
6 ~~the demonstrated percentage of eligible pregnant or parenting~~
7 ~~emancipated foster youth, whichever is less.~~

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